

George A. Zelcs (*pro hac vice*)  
gzelcs@koreintillery.com  
Robert E. Litan (*pro hac vice*)  
rlitan@koreintillery.com  
Randall P. Ewing, Jr. (*pro hac vice*)  
rewing@koreintillery.com  
Jonathon D. Byrer (*pro hac vice*)  
jbyrer@koreintillery.com  
**KOREIN TILLERY, LLC**  
205 North Michigan, Suite 1950  
Chicago, IL 60601  
Telephone: (312) 641-9750  
Facsimile: (312) 641-9751

Karma M. Giulianelli, CA Bar #184175  
karma.giulianelli@bartlitbeck.com  
Glen E. Summers, CA Bar # 176402  
glen.summers@bartlitbeck.com  
Jameson R. Jones (*pro hac vice*)  
Jameson.jones@bartlitbeck.com  
**BARTLIT BECK LLP**  
1801 Wewatta St. Suite 1200,  
Denver, Colorado 80202  
Telephone: (303) 592-3100  
Facsimile: (303) 592-3140

Stephen M. Tillery (*pro hac vice*)  
stillery@koreintillery.com  
Jamie Boyer (*pro hac vice*)  
jboyer@koreintillery.com  
Michael E. Klenov, CA Bar #277028  
mklenov@koreintillery.com  
Carol O'Keefe (*pro hac vice*)  
cokeefe@koreintillery.com  
**KOREIN TILLERY, LLC**  
505 North 7th Street, Suite 3600  
St. Louis, MO 63101  
Telephone: (314) 241-4844  
Facsimile: (314) 241-3525

Ann Ravel  
aravel@mcm manisfaulkner.com  
**MCMANIS FAULKNER**  
Fairmont Plaza, 10th Floor, 50 West San  
Fernando Street  
San Jose, CA 95113  
Telephone: (408) 279-8700  
Facsimile: (408) 279-3244

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

MARY CARR, individually and on behalf of  
all others similarly situated;

Plaintiffs,

vs.

GOOGLE LLC; GOOGLE IRELAND  
LIMITED; GOOGLE COMMERCE  
LIMITED; GOOGLE ASIA PACIFIC  
PTE. LIMITED; and GOOGLE  
PAYMENT CORP.;

Defendants.

CASE NO. 5:20-cv-05761-BLF

**DECLARATION OF GEORGE A. ZELCS  
IN SUPPORT OF MOTION TO APPOINT  
INTERIM CLASS COUNSEL**

Date: December 3, 2020  
Time: 10:00 a.m.  
Courtroom: Via Zoom  
Judge: Hon. James Donato

1 I, George A. Zelcs, declare as follows:

2 1. I am a partner in the law firm of Korein Tillery LLC ("Korein Tillery") and am one  
3 of the attorneys representing Plaintiffs in this action. I am admitted *pro hac vice* to practice in this  
4 Court.

5 2. I submit this declaration in support of Plaintiffs' Motion to Appoint Interim Class  
6 Counsel. The contents of this declaration are based on my personal knowledge and on information  
7 and documents provided to me by Korein Tillery LLC. If called as a witness, I could and would  
8 competently testify thereto.

9 3. On behalf of Korein Tillery, I spoke with Peggy Wedgworth, from the law firm of  
10 Milberg Phillips Grossman LLP ("Milberg") who filed the complaint in *Bentley, et al. v. Google,*  
11 *LLC, et al.*, 4:20-CV-07079-JD, and Elizabeth Pritzker, from the law firm of Pritzker Levine LLP  
12 ("Pritzker Levine") who filed the complaint in *Carroll, et al. v. Google, LLC, et al.*, 3:20-CV-  
13 07379-SK, regarding our firms' potential roles in the putative consumer class actions. We agreed  
14 that Milberg would serve as Discovery Liaison and Pritzker Levine would serve as local Liaison  
15 Counsel for the consolidated consumer class action. Those firms would, in turn, support the Motion  
16 to Appoint Co-Lead Interim Counsel being filed by Bartlit Beck LLP and Korein Tillery.

17 4. On October 26, 2020, I spoke with attorneys from Kaplan Fox & Kilsheimer LLP,  
18 who filed the complaint in *Herrera v. Google, LLC*, 5:20-CV-07365, and Cotchett, Pitre &  
19 McCarthy LLP, who filed the complaint in *McNamara v. Google, LLC, et al.*, 5:20-CV-07361, two  
20 new putative consumer class actions. We were not able to reach agreement on class leadership.

21 5. Attached as Exhibit A is a true and correct copy of the article "Korein Tillery Named  
22 to the National Law Journal's 'Plaintiffs' Hot List' for the Sixth Time";

23 6. Attached as Exhibit B is a true and correct copy of National Law Journal article  
24 identifying Korein Tillery as one of the magazine's "Elite Trial Lawyers";

25 7. Attached as Exhibit C is a true and correct copy of the St. Louis Post-Dispatch article  
26 entitled "Korein Tillery Named a Finalist for 2018 Elite Trial Lawyers Award"; and  
27

9. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct and that I executed this declaration on October 28, 2020 in Chicago, Illinois.

/S/ George A. Zelcs  
George A. Zelcs

## EXHIBIT A

LOGIN

CREATE A FREE ACCOUNT

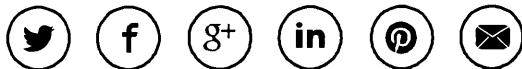
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Wednesday, October 28, 2020



## Korein Tillery Named To The National Law Journal's "Plaintiffs' Hot List" For The Sixth Time

### Share Article



Korein Tillery's major recent results include a \$105 million water-contamination settlement.

**ST. LOUIS, MISSOURI (PRWEB) OCTOBER 03, 2012**

Korein Tillery has once again been named to the National Law Journal's exclusive "Plaintiffs' Hot List" as one of the top plaintiffs' litigation firms in the country. The list identifies 20 elite firms that "are at the cutting edge of plaintiffs' work" and that possess "an impressive track record" of wins for their clients in complex, high-stakes litigation. This is the sixth time Korein Tillery has been named to the list in the last ten years.

"On behalf of everyone at Korein Tillery, we are proud to once again be recognized as one of the premier litigation firms in the country," said Senior Partner Stephen M. Tillery. "We have an exceptional group of highly talented lawyers who work tirelessly to ensure that our clients get results."

Korein Tillery recovered hundreds of millions of dollars in verdicts and settlements in the last year alone. Among its notable successes was a \$105 million class-action settlement of a water-contamination suit on behalf of public and private community water systems that supply drinking water to more than 52 million Americans. The firm also negotiated a number of substantial individual settlements in mortgage-backed securities litigation.

Korein Tillery is an AV-rated, award-winning law firm with offices in St. Louis and Chicago that has recovered billions of dollars in verdicts and settlements over the past decade in both class-action and individual cases. The firm represents individuals, business enterprises, and local, state, federal and foreign governmental entities in high-stakes litigation. It has been named by the National Law Journal to its "Plaintiffs' Hot List" in 2003, 2004, 2007,



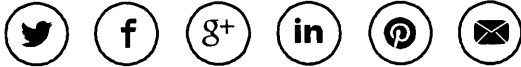
Stephen M. Tillery, Senior Partner - Korein Tillery

"We have an exceptional group of highly talented lawyers who work tirelessly to ensure that our clients get results."

2008, 2011 and 2012 as one of the nation's top plaintiffs' law firms in all specialties. More information is available at <http://www.koreintillery.com>

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## Contact Author

### JERRY BROWN

Korein Tillery LLC  
314-241-4844  
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## EXHIBIT B

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COVID-19 (/TOPICS/COVID-19/) TOPICS ▾ (/TOPICS/) SURVEYS & RANKINGS ▾ (/RANKINGS/) SUPREME COURT BRIEF (/SUPREMECOURTBRIEF/)

## Elite Trial Lawyers: Korein Tillery

For a firm that handles an array of complex securities, antitrust and employment cases, Korein Tillery has retained a daredevil attitude more common among tech startups.

| September 29, 2014 at 12:00 AM

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Stephen Tillery of Korein Tillery. ()





Stephen Tillery

**Korein Tillery**

For a firm that handles an array of complex securities, antitrust and employment cases, Korein Tillery has retained a daredevil attitude more common among tech startups. "We take enormous risks," said Stephen Tillery. "We're gambling right along with the client."

Korein Tillery invested years in a class action against Philip Morris USA Inc. over its "light" labeling of certain cigarettes. The case, which began in 1999, hit a snag when the \$10.1 billion verdict was overturned by the Illinois Supreme Court in 2005. But the firm waited, Tillery said. "We were patient," he said. When the U.S. Supreme Court ruled in 2008 in *Altria Group Inc. v. Good* that cigarette companies could be sued for deceptively advertising cigarettes as "light," Korein Tillery went to court again. In April, the firm prevailed. An Illinois appellate court reinstated the historic multibillion-dollar verdict against Philip Morris.

The firm's flexibility derives from its horizontal structure: partners chip in on all aspects of their cases and associates take on responsibilities quickly. The diverse background of its 13 partners resonates in the courtroom. "They're very real," said Deborah Larson, a member of the class in the suit against Philip Morris. That's important, Larson said, when the lawyers are telling the case to jurors "just like me." —Lalita Clozel

**LOCATION OF MAIN OFFICE:** St. Louis | **NUMBER OF PARTNERS:** 13

**KEY TO WINNING:** "You have to be extraordinarily prepared ... but you also have to listen to your jury and in many instances you have to be somebody that they want to win." —Stephen Tillery

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## Featured Firms

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## EXHIBIT C

Korein Tillery Named as a Finalist for 2018 Elite Trial Lawyers Award

0 comments

[https://www.stltoday.com/pr/business/korein-tillery-named-as-a-finalist-for-2018-elite-trial-lawyers-award/article\\_3104523a-93a7-11e8-8b49-5cb9017b8d1c.html](https://www.stltoday.com/pr/business/korein-tillery-named-as-a-finalist-for-2018-elite-trial-lawyers-award/article_3104523a-93a7-11e8-8b49-5cb9017b8d1c.html)

CONTRIBUTED

## Korein Tillery Named as a Finalist for 2018 Elite Trial Lawyers Award

aaronzigler

Jul 29, 2018

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**K**orein Tillery Named as a Finalist for 2018 Elite Trial Lawyers Award

St. Louis firm recognized for “exemplary performance in cutting-edge work on behalf of

plaintiffs”

Saint Louis, Missouri – July 29, 2018 – The National Law Journal, a New York-based national legal publication, has once again selected the St. Louis-based law firm of Korein Tillery as one of the nation’s “Elite Trial Lawyers.”

The Award highlights U.S.-based law firms that have performed exemplary and cutting-edge work on behalf of plaintiffs in litigation. Korein Tillery’s excellence was noted in three separate areas - Antitrust, Business Torts, and Financial Products.

Among its notable successes in these practice areas, Korein Tillery obtained \$5.1 billion on behalf of the National Credit Union Administration alleging that Wall Street investment banks misled credit unions about the risks of residential mortgage-backed securities. Korein Tillery also obtained more than \$2.3 billion for foreign currency traders alleging that dealers used secret chat rooms to conspire to fix currency exchange rates.

“Once again, we are honored to have been recognized by the National Law Journal for our worldclass legal representation,” said Steve Tillery, founder and managing partner of Korein Tillery. “Our firm strives to combine the resources, quality-of-representation, and national coverage offered by large, full-service law firms and the creativity, agility, and financial flexibility offered by boutique litigation practices. Our selection reinforces my belief that our firm has succeeded at this difficult task.”

This is not the first time that Korein Tillery has been recognized by the National Law Journal. The firm was named in the last three editions of the Elite Trial Lawyers list and was named to the NLJ’s “Plaintiffs’ Hot List” seven times in eleven years. The National Law Journal is the premier source for legal information of national importance to attorneys, including coverage of legislative issues and legal news for the business and private sectors.

Korein Tillery's selections by the NLJ are all that more impressive considering  
**Korein Tillery Named as a Finalist for 2018 Elite Trial Lawyers Award** | Business | Stltoday.com 0 comments  
Tillery's relatively small size and Midwest roots. The NLJ routinely features the largest  
New York based law firms. Korein Tillery's thirty attorneys represent plaintiffs  
throughout the country from its St. Louis and Chicago offices.

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## About Korein Tillery LLC

Korein Tillery is an AV-rated, award-winning law firm with offices in St. Louis and Chicago that has recovered billions of dollars in verdicts and settlements in a variety of cases across the country involving pension funds, insurance, securities, antitrust, telecommunications, pharmaceuticals, environmental contamination, tobacco, computer technology, and consumer fraud. The firm has gained a national reputation for aggressively and successfully pursuing a wide variety of complex cases on behalf of its clients. Korein Tillery was listed by the National Law Journal on its "Plaintiffs' Hot List" in 2003, 2004, 2007, 2008, 2011, 2012, and 2013, which highlights the nation's top plaintiffs' law firms in all specialties. The firm was also recognized by the NLJ as America's Elite Trial Lawyers for 2014, 2015, 2016 and 2018. More information is available at

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## EXHIBIT D

**LIST OF CASES IN WHICH KOREIN TILLERY LLC  
WAS APPOINTED AS CLASS COUNSEL**

*Asbury v. May Dep't Store Co. Ret. Plan*, No. 97-667-GPM (S.D. Ill. May 3, 1999)  
*Barbara's Sales Inc. v. Intel Corp.*, 2004 WL 5723558 (Ill. Cir. July 12, 2004)  
*Berger v. Xerox Corp. Ret. Income Guar. Plan*, No. 00-584-DRH (S.D. Ill. Dec. 5, 2003)  
*Berkowitz v. Nat'l Westminster Bancorp Ret. Plan*, 2000 WL 852451 (D. Conn. Mar. 30, 2000)  
*Brentwood Travel Serv., Inc. v. DCT Enter.*, No. 03CC-2857 (Mo. Cir. Ct. June 13, 2007)  
*Call v. Ameritech Mgmt. Pension Plan*, No. 01-717-GPM (S.D. Ill. Aug. 26, 2003)  
*Chultem v. Ticor Title Ins. Co.*, 927 N.E.2d 289 (Ill. App. Ct. 2010)  
*City of Univ. City, Mo. v. AT&T Wireless Servs., Inc.*, No. 01-CC-004454 (Mo. Cir. Ct. Aug. 30, 2007)  
*Clevenger v. Dillards, Inc.*, No. 02-558 (S.D. Ohio Nov. 31, 2006)  
*Clutts v. Allstate Ins. Co.*, No. 02-L-226 (Ill. Cir. Dec. 6, 2005)  
*Collora v. R.J. Reynolds Tobacco Co.*, 2003 WL 23139377 (Mo. Cir. Ct. Dec. 31, 2003)  
*Cooper v. The IBM Pers. Pension Plan*, No. 99-829 GPM (S.D. Ill. May 19 2005)  
*Craft v. Philip Morris, Inc.*, 2003 WL 23355745 (Mo. Cir. Ct. Dec. 31, 2003)  
*Crockett v. U.S. Sales Corp.*, No. 98-L-1057 (Ill. Cir. Apr. 5, 2000)  
*Dunn v. BOC Group Pension Plan*, No. 01-CV-382-DRH (S.D. Ill. Dec. 11, 2003)  
*Esden v. Bk. of Boston*, 182 F.R.D. 432 (D. Vt. Sept. 28, 1998)  
*Folkerts v. Ill. Bell Tel. Co.*, No. 95-L-912 (Ill. Cir. Jan. 7, 1998)  
*Fun Serv. of Kan. City, Inc. v. AMF Bowling, Inc.*, No. 03-DV-203690 (Mo. Cir. Ct. Apr. 22, 2005)  
*Gans v. Leiserv, Inc.*, No. 02CC-002115 (Mo. Cir. Ct. Oct. 6, 2004)  
*Gans v. Seventeen Motors, Inc.*, No. 01-L-478 (Ill. Cir. July 1, 2002)  
*Graf v. Automatic Data Processing*, No. 00-694-GPM (S.D. Ill. June 18, 2001)  
*Harris v. Roto-Rooter Servs. Co.*, No. 00-L-525 (Ill. Cir. Nov. 17, 2005)  
*Howard v. Brown & Williamson Tobacco Co.*, 2001 WL 1910779 (Ill. Cir. Dec. 18, 2001)  
*Hoormann v. SmithKline Beecham Corp.*, 2006 WL 3869484 (Ill. Cir. Oct. 6, 2006)  
*Hoyleton Youth & Family Servs. v. Surrey Vacation Resorts, Inc.*, No. 03-L-0507 (Ill. Cir. Mar. 18, 2011)  
*In Re: MCI Non-Subscriber Tel. Rates Litig.*, No. MDL 1275 (S.D. Ill. Jan. 12 2001)  
*JC Hauling v. Capital Assoc.*, No. 02-L0425 (Ill. Cir. Feb. 9, 2005)  
*Joiner v. Ameritech Mobile Commc'ns*, No. 96-L-121 (Ill. Cir. Aug. 8, 2000)  
*Kaiser v. Cigna Corp*, 2001 WL 36180948 (Ill. Cir. Apr. 20, 2001)  
*Kohl v. Am. Trial Lawyers Ass'n*, No. AW-97-3264 (D. Md. Nov. 2, 1999)  
*Laurenzano v. Blue Cross/Blue Shield of Mass. Ret. Income Trust*, No. 99CV11751 (D. Mass. Apr. 30, 2002)  
*Lawrence v. Philip Morris USA, Inc.*, No. 09-CV-519 (N.H. Nov. 22, 2010)  
*Little L.L.C. v. Brinker Mo., Inc.*, 2005 WL 6191055 (Mo. Cir. Ct. Sept. 23, 2005)  
*Malloy v. Ameritech*, No. 98-488-GPM (S.D. Ill. May 3, 2000)  
*Mangone v. First USA Bk., N.A.*, 2000 WL 33529651 (S.D. Ill. Nov. 21, 2000)  
*Mansfield v. Air Line Pilots Ass'n*, No. 06-cv-06869 (N.D. Ill. July 9, 2007)  
*May v. SmithKline Beecham Corp.*, No. 98-108-WDS (S.D. Ill. May 31, 2001)  
*Meyer v. HomeEq Servicing Corp.*, No. 05-L-208 (Ill. Cir. Nov. 16, 2011)  
*Medeika v. S. New Eng. Tel.*, No. 97CV01123 (D. Conn. Aug. 9, 1999)

*Nichols v. B.P. Am. Pension Plan*, No. 01-C-6238 (N.D. Ill. July 15, 2002)  
*Nichols-Siedhoff v. Ameritech Corp.*, No. 01-L-456 (Ill. Cir. Feb. 6, 2004)  
*Null v. D.B. Inv., Inc.*, No. 05-L-209 (Ill. Cir. July 22, 2005)  
*Parker v. Sears, Roebuck & Co.*, No. 04-L-716 (Ill. Cir. Sept. 18, 2007)  
*Patterson v. Nations Bk.*, No. 99-481-PER (S.D. Ill. July 29, 1999)  
*Peterson v. State Farm Mut. Auto. Ins. Co.*, 2000 WL 35641572 (Ill. Cir. Dec. 21, 2000)  
*Pierce v. Gold Kist*, No. CV-97-L-0748-5 (N.D. Ala. Aug. 11, 1997)  
*Prather v. Pfizer Inc.*, No. 02-L-480 (Ill. Cir. Mar. 2, 2004)  
*Price v. Philip Morris Inc.*, 2001 WL 34366710 (Ill. Cir. Feb. 1, 2001)  
*Rice v. Nat'l Steel*, No. 98-L-98 (Ill. Cir. June 30, 1999)  
*Richardson v. Fairchild Space & Def.*, No. 99-1867 (M.D. Pa. Oct. 9, 2001)  
*Rogers v. Tyson Foods, Inc.*, 2007 WL 6712021 (Ill. Cir. Aug. 17, 2007)  
*Seifert v. May Co. Ret. Plan*, No. 96-1028-GPM (S.D. Ill. May 3, 1999)  
*Shuppert v. Blair Down*, No. 00-L-223 (Ill. Cir. Feb. 18, 2004)  
*Sims v. Allstate Ins. Co.*, 2000 WL 35751322 (Ill. Cir. Dec. 21, 2000)  
*Sparks v. Lucent Tech.*, 2001 WL 36208888 (Ill. Cir. July 27, 2001)  
*State of Mo. v. SBC Commc'ns, Inc.*, No. 22044-02645 (Mo. Cir. Ct. Nov. 9, 2009)  
*Sullivan v. DeBeers, A.G.*, No. 04-2819 (D.N.J. Nov. 30, 2005)  
*Synfuel Tech. v. Airborne Inc.*, No. 02-CV-324-DRH (S.D. Ill. Oct. 31, 2003)  
*Todt v. Ameritech Corp.*, No. 97-L-1020 (Ill. Cir. Nov. 12, 1997)  
*Tullock v. K-Mart Corp. Employee Pension Plan*, No. 99-289-DRH (S.D. Ill. Feb. 22, 2002)  
*Turner v. R.J. Reynolds Tobacco Co.*, No. 00-L-113 (Ill. Cir. Nov. 14, 2001)  
*Vollmer v. PCH*, No. 99-434-GPM (S.D. Ill. June 30, 1999)  
*Wagner v. Lowe's Home Ctrs., Inc.*, No. 02-L-690 (Ill. Cir. Jan. 14, 2008)  
*Wheeler v. Sears, Roebuck & Co.*, No. 99-L-529 (Ill. Cir. Apr. 17, 2003)  
*Wilgus v. Cybersource*, No. 02-L-995 (Ill. Cir. Aug. 30, 2004)  
*Williams v. Am. Equity Mortgage, Inc.*, No. 05-L-207 (Ill. Cir. July 21, 2011)  
*Williams v. Con Agra*, No. 97-L-373 (Ill. Cir. Oct. 31, 1997)  
*Williams v. Rohm & Haas Pension Plan*, No. 04-78 (S.D. Ind. Nov. 21, 2004).